

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-00270-MR-WCM

MACKENZIE ELAINE BROWN,

Plaintiff,

v.

HENDERSON COUNTY

SHERIFF'S OFFICE;

ROBERT JORDAN WARREN

Sheriff Deputy with Henderson

County Sheriff's Office - Patrol Division;

MICHAEL SCOTT LINDSAY

Sheriff Deputy with Henderson County

Sheriff's Office - Patrol Division;

CRYSTAL D. LANDERS

Sheriff Deputy with Henderson County

Sheriff's Office - Patrol Division;

JOHNNY E. DUNCAN, JR.

Henderson County Director of

Technical Services/Public

Information Officer;

BRADLEY R. REESE

Animal Enforcement Officer with

Henderson County Sheriff's Department;

BRITTANY NICOLE MAYBIN

Detention Facility Officer with

Henderson County Detention Facility

SUSAN N. OATES

Magistrate with North Carolina

Administrative Office of the Courts; and

EMILY GREENE COWAN

District Court Judge with the

North Carolina Consolidated

Judicial Retirement System,

Defendants.

ORDER

This matter is before the undersigned for case management purposes following the filing of:

- (1) Motion to Dismiss Amended Complaint, filed by Defendants Henderson County Sheriff's Office, Robert Warren, Michael Lindsay, Crystal Landers, Johnny Duncan, Jr., Bradley Reese, and Brittany Maybin (collectively, the "HCSO Defendants"). Docs. 39, 40; and
- (2) Judicial Defendants' Motion to Dismiss Amended Complaint, filed by Susan N. Oakes and Emily Greene Cowan (collectively the "Judicial Defendants"). Docs, 41, -41-1, 41-2.

The Court **ADVISES** Plaintiff, who appears *pro se* in this matter, that the HCSO Defendants and the Judicial Defendants have filed Motions to Dismiss pursuant to Rule 12(b)(1) and/or Rule 12(b)(6) of the Federal Rules of Civil Procedure by which they ask the Court to dismiss Plaintiff's claims against them.

Plaintiff is advised to review the Motions to Dismiss and supporting memoranda (Docs. 39, 40, 40-1, 40-2, 40-3, 40-4, 40-5, 40-6, 41, 41-1, 41-2) carefully. Plaintiff is further advised that if she does not submit a response to the Motions by the date stated herein, the Court may proceed to consider the Motions to Dismiss without hearing from her. See Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975); see also Carr v. Reece, No. 3:21-cv-00217-FDW-DCK, 2021 WL 5855646 at *2, n. 1 (W.D.N.C. Dec. 9, 2021) ("[C]ourts routinely

issue Roseboro notices for motions to dismiss, and the Court does so here.”).

In the Court’s discretion, Plaintiff’s deadline for filing a response to the Motion to Dismiss filed by the HCSO Defendants (Doc. 39) and a response to the Motion to Dismiss filed by the Judicial Defendants (Doc. 41) is **EXTENDED** to and including June 21, 2024.

It is so ordered.

Signed: May 29, 2024

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

